

**Matter of Barrett**  
**Del. Supr., 630 A.2d 652 (1993)**

**Disciplinary Rules:** DLRPC 1.15(b)

**Nature of Case:**

Respondent's former law firm had been entrusted with certain funds, which resulted from recovery from personal injury action, and which were to be given over to client when she reached majority. After several years elapsed and client reached majority, claim was made against respondent's firm, which had since dissolved. Respondent had also since retired from the practice of law. Although admitting that he had the ultimate responsibility for the funds, given years which had passed, the Respondent had not adequately safeguarded or maintained the funds.

**Action Taken by the Court:**

After an evidentiary hearing before the Board on Professional Responsibility, it was concluded that the respondent had violated DLRPC 1.15(b) in having failed to account for and deliver to the client the proceeds of the personal injury action. The Delaware Supreme Court, holding that the respondent's conduct was primarily due to negligence rather than knowing conversion, imposed a three year suspension, imposed prospectively.